App F IX ± /

Previous References (1941 / NL) NL File No 114 — 41
Serial Nos 5, 6, 11, 12

Later References

GENERAL AND REVENUE SECRETARIAT

Serial Nos four

Part B for Jan 1942

SUBJECT

Exemption from the levy of octroi duty on materials imported into the municipalities of the State for the use of Industrial Schools.

To The President City Municipal Council, Mysore
" Municipal Comm Bangalore City
" Director of Industries & Commerce
" DC's of Districts
" Comptroller

sl 12) L 55-38-50 Dy 2-1-42

Sanctions the —

Ans/ Jan/42

1463 Octroi Duty on article purchased by
969 the Industrial Schools

General and Revenue Secretariat | Ire File No 116 of 1941 [App F III-2

Serial No

Letter no. D1-71/41-42 & 21 Aug 1941 from the Dir Ire Stating that the Town Municipality, Shimoga has collected certain duty on iron articles purchased by the Indust School & that on a request the President Municipality has stated that the exemption cannot be granted & requesting in the circumstances, orders exempting the Industrial Schools from payment of octroi & other municipal dues -

SECY-2 2 SEP 1941 GOVT OF MYSORE

Submitted for orders

The L S G Section may please be consulted

11/9/41

Daly 3/

About the correctness of the levy

Yes VO 5/9/41

Cpl KRS

LSG 4/9/41

Submitted for perusal in the files referred to

6/9/41 Shimoga is the only Municipality that has come under exemptions

Cpl KRS

NOTE—Contin Sl e t

Serial No

6 The levy of octroi duty is a matter which under the control of the local municipal councils, and it is a main source of their income If the articles are not exempted from the levy of octroi either under the statute or the bye-laws sanctioned for the purpose, special exemption has to be given under the powers vested in Govt. As the municipal councils are entrusted with certain duties involving expenditure, it is not expedient to take away their income assigned to them without their consent by an order of Govt

7 In this case the mgt of have refused exemption for the articles in question on the ground that the school sells articles for profit the amount involved is not known and may not perhaps be considerable It is not desirable perhaps, to interfere with the decision of the municipal council in the matter

8 As the Director of 9 8 G has requested for exemption of municipal dues generally, further information is necessary to deal with the matter

9 Submit with a draft letter to the

Exemption from payment of Octroi on materials received by the Industrial Schools in the State

General and Revenue Secretariat — H L File No — of 1941 — [App F III—2

Serial No

Director of I & C.

Rect
9/9/41

10 Issue

H 9-9

To

The Director of I & C

No L2268-d 13-9-41

Calls for certain information

Letter no D1-71/41-42 dated 22-10-41

from the Director of Industries and Commerce forwarding certain information required

Submitted for perusal It appears that Shimoga Town Municipal Council is the only one for the present levying Octroi duty on the articles imported by the Industrial Schools The Director of Industries and Commerce has stated that no profit is charged on the articles manufactured in these Schools and they are even sold below the cost price on account of wastage in material etc which is inevitable in the course of training

As the Industrial Schools are definitely intended for training the

NOTE—Contn Sheet

WD 03967—GPB—5 000—30 8 41

Exemption of octroi duty on Article purchased by I.-
1463 ∫ 2415 Industrial Schools in the State

M L File No 114 of 1941

General and Revenue Secretariat

Candidates, it would perhaps be a desirable measure to abolish the Octroi duty on the materials received by these Schools for the training.

13 The Director has further requested to abolish "other Municipal dues", & there as does not appear to be any other case save water charges, that these Schools have to pay to the local Municipal Councils. As water Charges, Sale has to be based under the Statute Govt. they may not be necessary with regard to these demands. will have to be paid and cannot be avoided

14 In view of the above facts, the exemption duty on the materials received by the Industrial Schools in the State may be exempted from the payment of Octroi duty, and the loss of revenue to the Municipalities on that account would not be much. Subject to orders. Then would be part of the General Policy of Govt in encouraging Minor & Cottage industries.

16/11/41 It from the Correspondence it is seen that only the Shimoga & Bobbatalapura Municipalities have collected octroi on certain articles according to the rules in force—

Octroi duty on Machinery received by the Industrial Schools at the Sta

Serial No

-imported with the municipal limits for use in the local industrial Schools. It is stated that, even on requisition, the Municipal Councils have refused to grant the exemption as requested & to refund the amounts Rs 2-7-4 collected by them. Having regard to the small amount involved, it is for consideration if it is worth while granting a general exemption from payment of octroi duty in such cases the amount may perhaps be met from out of the contingent grant of the Schools concerned.

2. The other taxes which would ordinarily be levied in respect of such industrial (Govt) schools are of the service taxes such as general sanitary cess and the water tax. As they are service taxes, no exemption can be granted.

Reference para 3 supra

Lawley for
22/11/41

17 Exemption from payment of octroi duty may be granted but not service taxes such as ~~Sanitary~~ cess and water tax

Minister
L S G

Hon 26/11/41 Hon 30/11/41 Hon 2-12-41 Sec 2/12/41

SECY LAW DEPT 21 DEC 1941 GOVT OF MYSORE

OFFICE OF THE MIN'STER FOR L S G & P H Dt 28-11-41 No 37233 Note—Contn. Sheet

WD.02220—GPB—1 000—22 2 37

Exemption of octroi duty on articles purchased by Industrial Schools in the State

ML File No 2417/L of 1941

General and Revenue Secretariat

Serial No

19 Submitted with a draft G.O. for appn

Kmz 8/12/41

20 The G.O. may perhaps issue after perusal by the Development Secretary (vide para 3 supra)

Law Secy 13/12/41

SECY LAW DEPT 15 DEC 1941 GOVT OF MYSORE

21 for perusal

Dev Secy M.C. 16.12.41

Hm

for

SEC 16 DEC 1941 MYSORE

Sec'y Law W/ comps

WP 20/12

May the draft-G.O. issue now?

Kmz 22/12/41

✓ Issue

22/12/41

TYPING SECTION 23 DEC 1941 GE REV

To

The President B-G- ML Cl Mysore
The ML Comm, B C M
The Director of Industries and Commerce Mysore
The Dy Comrs of Dists
The Compl Offr G- Govt

No L 5-5-38-50/ML 114-41-12 d 2-1-42

Directs that - the materials imported by the Industrial Schools in the State be exempted from payment of Octroi duty

B

Sd

Tel { Ph N 2004
G ms—INDUSCOM

I ply pl ase qu te
mb d te a sho t t tle

1468/L

GOVERNMENT OF MYSORE

DEPARTMENT OF INDUSTRIES AND COMMERCE

MC 114-41-5

FROM

B G. A Mudaliar Esquire, B A , B Sc , A M I. Mech E ,
Director of Industries and Commerce
in Mysore, Bangalore

969

SECY DEVT DEPT
22 AUG 1941
TO GOVT OF MYSORE

V Vedavyasacharya Esquire, B A ,
Secretary to Government,
Development Department,
Bangalore

No D1-71/41-42

Dated the 19th August 1941

Enclosures

SIR

Octroi Duty on Article purchase by the Industrial Schools

I have the honour to state that the Shimoga Town Municipality has collected on the 21st June 1940 a sum of Rs 0-4-0 as - duty on Iron Articles purchased by the Industrial School, Shimoga, for use of the School The President of the Municipality was informed that the Articles purchased by the Industrial School, which is an educational Institution, are for training the boys and as - such no duty is leviable and he was requested to refund the amount collected The President informs in his letter No O C-1/41-42, dated the 15th July 1941, that the Municipal Council have considered the subject on the 28th June 1941, and have resolved that the exemption cannot be granted, as the School sells Articles for profit

2 I consider that it is not correct to regard the Industrial Schools as Commercial Institutions Most of the work, carried out in the Schools, has, for its object, the giving of training to the boys, and although, in a few cases, certain Articles are made on Orders from outside Parties, these are only intended to give just the necessary experience to the Students about the actual jobs which they will have to handle themselves, after they finish their courses in the Schools The profit making is absent in either case

3 I request, in the circumstances explained above, Orders of

of Government may be obtained exempting Industrial Schools from payment of Octroi and other Municipal dues on their materials

I have the honour to be,
Sir,
Your most obedient servant,

Director

NWB

GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE

General and Revenue Secretariat

Dated Bangalore 13th September 1941.

No L 2268/ H C 116-41-6

The Secretary to the Government of His Highness the Maharaja of Mysore
Law Department.

To

The Director of Industries and Commerce in Mysore,
Bangalore

With reference to your letter No.D1-71/41-42 dated 19/21st August 1941 requesting to exempt the Industrial Schools from payment of Octroi and other municipal dues on their materials, I am directed to request you to furnish information on the following points :

(1) How many industrial schools are there in the State and where are they located?

(2) What is the amount of octroi duty that each of these schools has paid for the last three years to the local municipality (a detailed statement may be furnished)?

(3) What is the contingent amount allotted to each of these schools monthly?

(4) Whether the articles manufactured in the industrial schools are sold for their cost price or whether any percentage is added to it over the cost price before sale?

(5) What are the other dues that these schools have to pay to these Municipalities?

An early reply is requested

I have the honour to be,
Sir,
Your most obedient servant,

for Secretary to Govt Law Department.

Appendix F G—1]

SUBJECT

Section DM

File No 114-41

Serial No 6

Diary No of letter replied to

No 12268

To The Director of I & C

General and Revenue Secretariat

( )

the *193*

Sir,

Date of issue 13th Sept. 41

Signed by Mr A Arunachalam

With reference to your letter no D.-7114-42 dated 19/21 Aug.-1941 requesting to exempt the industrial schools from payment of octroi and other municipal dues on their materials, I am directed to request you to furnish information on the following points —

(1) How many industrial schools are there in the State and what are they called?

(2) What is the amount of the octroi duty that

List of enclosures

Copied by

Examined by

WD 0563—GPB—30 000—6 1 39

each ~~one~~ of these schools
has had for the last - three years to the Wed Mfg
(a detailed statement - may be furnished)

(3) What is the contingent - amount -
allotted to each ~~one~~ of these schools monthly ?
~~for the purpose of the duty in question?~~

(4) - Whether the articles manufactured
in the industrial schools are sold for their cost price
~~profit - or are they what - is the basis~~
~~for their sales~~ and whether any percentage
is added to it over the cost price before sale ?

(5) What - are the other dues that - these
schools have to pay to the Municipality
~~and what - are the grounds to claim exemption~~

An early reply is requested -

I have the

for Secy to Govt -
Law Dept -

Tel { Ph N 2004
G m —INDUSCOM

In ply pleas q t
mb dat & h tttl

HC 114-41-11 D2415/h

GOVERNMENT OF MYSORE

DEPARTMENT OF INDUSTRIES AND COMMERCE

FROM

SECY DEPT 20 OCT 1941 GOVT OF MYSORE

S G SASTRY Esquire, B A , M Sc ,(London),
Director of Industries & Commerce in Mysore, Bangalore

H V NARAYANA RAO, Esquire, B A , LL B ,
Secretary to Govt , Law Department, Bangalore

No D1-71/41-42 Dated 22nd October 1941

Enclosures

SIR

With reference to your letter No L 2268/A1 114-41-6 dated 13th September 1941 I have the honour to note below the particulars required by you ---

I There are nine Industrial Schools in the State situated at Hassan Chikmagalur, Shimoga, Chitaldrug,Chennapatna Sagar Nelamangala, Dodballapur and Chikballapur

II No other Municipality except the one at Shimoga has claimed Octroi Duty on the articles imported by the Schools The Shimoga Municipality has recovered Rs 2-1-4 from the Industrial School on hardware materials The Dodballapur Municipality was paid 0-9-6 during 1939-40 and 0-4-9 --- during 1940-41 Now, however, no Octroi duty is being paid to this Municipality

III These charges are paid out of the grant for the purchase of materials sanctioned to the school

IV The articles are prepared by the students during the course of their training and no profit is charged Sometimes the articles will have to be valued below the actual manufacturing cost on account of wastage in material &c , which is inevitable in the course of training

V The Municipalities of Shimoga and Chennapatna collect Rs 2 each per month as water charges and this is paid out of the material grant of the school concerned

I have the honour to be
Your most obedient servant

DIRECTOR

G R S App F VI—G 2]

SUBJECT

Diary No of letter replied to

General and Revenue Secretariat

( )

the 193

Proceedings of the Government of
His Highness the Maharaja of Mysore

Section RE

File No 114-41

Serial No 12

Date of issue 22nd January 1942

Signed by H. G. Ramachandra

May this be—

(i) printed ? Yes

(i) treated as a standing order ? Yes

(ii) published in the Gazette English Part ?

(vi) translated ?

(v) placed at the disposal of the press ? No

(v) published in the Gazette Kannada Part ?

Read—

Correspondence ending with letter no D-71/41-42 dated 22-10-41 from the Director of Industries and Commerce requesting, in the circumstances stated, that the industrial Schools in the State may be exempted from payment of octroi and other municipal dues

Order thereon—No 5538-50

The Director of I & C has reported that there are nine industrial schools in the State for training students in certain industries and they are educational institutions & not of commercial ones

1 Hassan
2 Chikmagalur
3 Shimoga
4 Chitaldrug
5 Chamarajpet
6 Tongur
7 Krishnarajpet
8, 9 Doddaballapur, Chikkaballapur

All 6 to be regarded as

It is stated that

the articles prepared by the

Students in these institutions, ~~are sold~~,

have sometimes to be sold

below the actual manufacturing

cost - and no profit is charged

on them

In view of the useful

purpose that the Industrial

Schools serve as educational

institutions, Govt are pleased

to direct that the materials

~~imported~~ by the said Schools

for training the candidates

be exempted from payment of

octroi duty ~~on all the~~ Municipalities

in the State ~~to~~ Exemption ~~is accorded~~ from payment of other municipal dues such as sanitary

as regards the ~~the~~ request of the Director of I and C

to exempt the Schools from

the payment of the other municipal

dues, Govt consider that there is

no need to extend for the same

These Schools shall, however,

continue to pay the other municipal dues

as there is no need to exempt them from these payments

under proviso (d) - Section 64 M C M Act, 1933, proviso (d) Sec 61 - M C M Act, 1933, and Section 6 (a) of the Minor Municipalities Act 193

List of Enclosure

Copied by

Examined by

WD 0523—GPB—22 500—16-3 37

Sec'y to Govt Law dept -

GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE

GENERAL AND REVENUE DEPARTMENTS

G O No L 5538 50—Ml 114 41 12 dated 2nd January 1942

Octroi Duty on Materials imported by the Industrial Schools in the State

Sanctions exemption from payment of +—

READ—

Correspondence ending with letter No D1 71—41 42 dated 22nd October 1941 from the Director of Industries and Commerce requesting in the circumstances stated that the Industrial Schools in the State may be exempted from payment of octroi and other municipal dues

ORDER No L 5538 50—ML 114 41 12 DATED BANGALORE THE 2ND JANUARY 1942

The Director of Industries and Commerce has reported that there are the marginally noted nine Industrial Schools in the State for training students in certain industries and they are all to be regarded as educational institutions and not as commercial ones It is stated that the articles prepared by the students in these institutions have sometimes to be sold below the actual manufacturing cost and no profit is charged on them

1 H
2 Ch km g l
3 Sh m
4 Ch t ld g
5 Ch p t
6 S g
7 N l m g l
8 D db ll p
9 Ch kb ll pur

2 In view of the useful purpose that the Industrial Schools serve as educational institutions Government are pleased to direct under Proviso (d) Section 64 Mysore City Municipalities Act 1933 Proviso (d) Section 61 Mysore Town Municipalities Act 1933 and Section 65 (a) of the Minor Municipalities Act 1933 that the materials imported by the said schools for training the candidates be exempted from payment of octroi duty in all the municipalities in the State Exemption from payment of other municipal dues such as sanitary cess and water tax is not considered necessary or desirable

H V NARAYANA RAO
Secretary to Government
Law Department

To—The President City Municipal Council Mysore
The Municipal Commissioner Bangalore City Municipality
The Director of Industries and Commerce in Mysore
The Deputy Commissioners of Districts
The Comptroller to Government

Exd —C K

WD 3465—GPB—395—17 1 42